738 0 2	outer ou	Otoposition.	Presented by	rederal C
2 2 0	( by a ) nem	Received A 4 7	Exhibit No. 4	Federal Communications Commission
		14	10	10

.

# **RADIO STATION LICENSE**

Licensee Name: CAPITOL RADIO TELEPHONE INC

DBA CAPITOL PAGING

Radio Service: IB BUSINESS

Call Sign:

File Number:

9101017358

License Issue Date: 910404

License Expiration Date: 960404

WNDA400 Frequency Advisory No: 910150107

Number of Mobiles by Category: Vehicular - \*\*10\*\*

Portable \*\*\*\*\*Aircraft \*\*\*\*\*Marine \* \*\*\*\*\*Pagers\*\*\*\*\*

910404M 598

CAPITOL RADIO TELEPHONE INC DBA

CAPITOL PAGING

J MICHAEL RAYMOND

1420 KANAWHA BLVD E

CHARLESTON

wv

25301

.D.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Eleva	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1:	461.15000	FB2	1	20K0F3E	90.000	250.000	940	200	38-22-36	081-42-09
2:	466.15000	MO	10	20K0F3E	75.000					
3:	466.15000	FX1	1	20K0F3E	15.000					
	TRANSMITTER	STREE	T AD	DRESS		CITY			COUNTY	STATE
1:	BOO BLK NEAS	E DR	900'	N 7TH AVE		CHARLE	STON		KANAWHA	w v
REA	OF OPERATION		HA C	DUNTY						
AIN ITE	TING AND LIC		:	CIFICATIONS RM 715/715A	:	\PHS:	1 3 11	21		
ГИС	ROL POINTS:	420 F	ANAW	HA BLVD E C	HARLESTO	DEN WV				
ГИC	ROL POINT PE	2	:							
ГИC	ROL POINT PI	2	:							
ГN	ROL POINT PI	2	:							
ГИ	ROL POINT PI	2	:							
ГN	ROL POINT PI	2	:							
ΓN	ROL POINT PI	2	:							
ГN	ROL POINT PE	2	:							
ГN	ROL POINT PE	2	:							
ГИ	ROL POINT PE	2	:							
TN	ROL POINT PE	2	:							
ГИ	ROL POINT PI	2	:							
ГИ	ROL POINT PE	2	:							
ГИ	ROL POINT PE	2	:							
ГИ	ROL POINT PE	2	:							
ГИ	ROL POINT PR	2	:							
	ROL POINT PH	DNE:	304-	345-3792						



This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within one year.

000002

# RADIO STATION LICENSE

Licensee Name: CAPITOL RADIOTELEPHONE INC

DBA CAPITOL PAGING

Radio Service: IB BUSINESS

Call Sign:

File Number:

9102018410

License Issue Date: 910508

License Expiration Date: 960508

WNSX646 Frequency Advisory No: 910140200

Number of Mobiles by Category: Vehicular - \*\*\*\*

Portable -\*\*\*\*Aircraft - \*\*\*\*Marine - \*\*\*\*Pagers \*\*\*500\*

910509M 417 1 1Z

CAPITOL RADIOTELEPHONE INC DBA

CAPITOL PAGING

J MICHAEL RAYMOND

1420 KANAWHA BLVD E

CHARLESTON

WV

25301

FCC I.D.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Eleva	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1:	152.48000	FB6C	1	20K0F9W	350.000	350.000	940	115	38-22-36	081-42-09
	152.48000	FB6C	1	20KOF1D	350.000	350.000				
				20K0F3E						
				20K0F2D						
2:	152.48000	FB6C	1	20KOF9W	350.000	350.000	934	65	38-23-28	082-29-10
	152.48000	FB6C	1	20KOF1D	350.000	350.000				
				20K0F3E						
				20K0F2D						
	TRANSMITTER	STREE	T AD	DRESS		CITY			COUNTY	STATE
٦.	800 BLK NEAS	מת שיי	900	N 7001 100		CHARLE	gricht	* * * * * * * * * * * * * * * * * * *	KANAWHA	w,
	1.5 MI S OF	:	:			HUNTIN	;		CABELL	W
<b>4</b> :	1.5 MI S OF	MONTI	.nGIO	N AIRPORT		HUNIIN	GION		CADELL	W
AIN	TING AND LIG	HTING	SPE	CIFICATIONS	Š					
ITE	<u></u>			RM 715/715	7	PHS:	1 3 11	21		
ONI	ROL POINTS:	420 K	ANAW	HA BLVD CHA	RLESTON	WV				
ON'I	ROL POINT PH	ONE:	304-	345-3792						
TAI	ION CLASS SU	FFIX	C =	INTERCONNI	<b>C</b> T					
TAI	ION CLASS SU	FFIX	J =	TEMPORARY	WITH INT	ERCONNE	CT	:		
TAT	ION CLASS SU	FFIX	K =	STAND-BY V	ITH INTE	RCONNEC	T			
TAT	ION CLASS SU	FFIX	L =	ITINERANT	WITH INT	ERCONNE	CT			
								•		
						,				
		:	:	•		•				
					1	÷	i	:	i	:
MT S	SION DESIGNA	ATOR (	s) cc	NVERTED TO	CONFORM	TO DESI	GNATOR	æ(s)		



This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within one year.

# **RADIO STATION LICENSE**

Licensee Name: CAPITOL RADIO TELEPHONE INC

DBA CAPITOL PAGING

Radio Service: IB BUSINESS

Call Sign:

WNWW636

File Number:

9106031005

License Issue Date: 910719

License Expiration Date: 960719

Frequency Advisory No: 911020107

Number of Mobiles by Category: Vehicular - \*\*\*\*\*\*

Portable -\*\*\*\*Aircraft - \*\*\*\*Marine - \*\*\*\*\*Pagers \*\*\*\*\*

910719N 1061 1 12

CAPITOL RADIO TELEPHONE INC DBA
CAPITOL PAGING
J MICHAEL RAYMOND
1420 KANAWHA BLVD E
CHARLESTON WV 25301

CANK

				Station	echnical	Specifica	tions			
FCC 1.D.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Eleve	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1:	460.72500	FX2	1	20K0F3E	40.000	288.000	940	283	38-22-36	081-42-09
	TRANSMITTER	STREE	T AD	DRESS		CITY		4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4 4	COUNTY	STATE
1:	800 BLK NEAS	E DR	900'	N 7TH AVE		CHARLE	STON		KANAWHA	wv
PAIN SITE	TING AND LIG 1: SEE AT	•	• •	CIFICATIONS RM 715/715A	!	PHS:	1 3 11	21		
	ROL POINTS:1 ROL POINT PH	•	•		RLESTON	WV				
					-					
									,	
						,				
						,				
	SION DESIGNA						GNATO	æ(S)		
SET	OUT IN PART	2 OF	THE	COMMISSION	S RULES.	•	<u>:</u>	<u>:</u>	PAGE	1 OF 1



This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within one year.

# **RADIO STATION LICENSE**

Licensee Name CAPITOL RADIOTELEPHONE COMPANY INC

DBA CAPITOL PAGING

Radio Service: IB BUSINESS

License Issue Date: 920123

WNSX646

File Number: 9112045862

License Expiration Date: 970123

Frequency Advisory No: 913290188

Number of Mobiles by Category: Vehicular - \*\*\*\*\*\* Portable -\*\*\*\*\*Aircraft - \*\*\*\*\*Marine - \*\*\*\*\*Pagers \*\*2000\*

920123M 535 1 1Z

CAPITOL RADIOTELEPHONE COMPANY INC DBA

CAPITOL PAGING J MICHAEL RAYMOND 1420 KANAWHA BLVD E

CHARLESTON

wv

25301

	1				Output			<del></del>	<del>                                     </del>	<del></del>
FCC 1.0.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Power (Watts)	E.R.P. (Watts)	Ground Eleva	Ant. Hgt. To Tip	Antenna Latitude	Antenna Longitude
1:	152.48000	:	1	20K0F1D	i	350.000		•	38-25-17	082-23-47
2:	152.48000	FB6	1	20K0F1D	350.000	350.000	940	115	38-22-36	081-42-09
	TRANSMITTER	STREE	TAD	DRESS		CITY			COUNTY	STATE
1:	ROTARY PARK	ANTEN	NA F	ARM E		HUNTIN	GTON		CABELL	W
2:	800 BLK NEAS	E DR	900й	OF 7TH AVE	4	CHARLE	STON		KANAWHA	W
AIN	TING AND LIG	HTING	SPE	CIFICATIONS					* * * * * * * * * * * * * * * * * * *	
ITE	1: SEE AT	TACHE	D FO	RM 715/715#	PARAGRA	•	1	21 22		
ITE	2: SEE AT	TACHE	D FO	RM 715/7152	PARAGR	APHS:	1 3 11	21		
r no	ROL POINTS:5	39 91	H ST	HUNTINGTON	wv.					
נאס	ROL POINT PH	ONE:	304-	523-1200						
	•	:	:							
•								• • • • • • • • • • • • • • • • • • •		
									ŕ	
									<i>(</i>	
•									<i>'</i>	
									<i>'</i>	
									<i>(</i>	
									ŕ	
									<i>'</i>	
									<i>(</i>	
	SSION DESIGN								<i>x</i>	



This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within one year

# **RADIO STATION LICENSE**

Licensee Name: CAPITOL RADIO TELEPHONE INC

DBA CAPITOL PAGING

**WNWW636** 

Radio Service: IB BUSINESS

File Number: 9206062836

License Issue Date: 920723

License Expiration Date: 970723

Frequency Advisory No:

Call Sign:

Number of Mobiles by Category: Vehicular - \*\*\*\*

Portable -\*\*\*\*Aircraft - \*\*\*\*\*Marine - \*\*\*\*\*Pagers \*\*\*\*\*

920723M 545 1 1Z

CAPITOL RADIO TELEPHONE INC DBA

CAPITOL PAGING
J MICHAEL RAYMOND
1420 KANAWHA BLVD E

CHARLESTON

25301

CC .D.	Frequencies (MHz)	Station Class	No. of Units	Emission Designator	Output Power (Watts)	E.R.P. (Watts)	Ground Eleva	Ant, Hgt. To Tip	Antenna Latitude	Antenna Longitude
1:	460.72500	FX2	1	20K0F3E		250.000	1050	195	38-23-36	081-53-31
	TRANSMITTER	STREE	T AD	DRESS		CITY	·		COUNTY	STATI
L:	1/2 MI SE OF	us e	O ON	RUSSELL RD		SAINT	ALBANS		KANAWHA	W
	ROL POINTS:1	:	1 :		RLESTON	WV				
I MC	n note: s	EE AI	TACH	ED #14 `						
							• • • • • • • • • • • • • • • • • • •			
								**************************************		
								**************************************		
						,				
r T G	SSION DESIGNA		s) cc	MVERTED TO	CONFORM	TO DEST	GNATOS	(S)		
	OUT IN PART						GNATOR	4(3)		•



This authorization becomes invalid and must be returned to the Commission if the stations are not placed in operation within eight months, unless an extension of time has been granted. EXCEPTION: 800 MHz trunked and certain 900 MHz station licenses cancel automatically if not constructed within one year.

000006



# FEDERAL COMMUNICATIONS COMMISSION Washington, D.C. 20554 July 30, 1992

ORIGINAL

In Reply Refer To: 7320-13/91186 217XX0007

### CERTIFIED MAIL -- RETURN RECEIPT RECUESTED

Capitol Radiotelephone Inc. d.b.a. Capitol Paging 1420 Kanawha Blvd. E. Charleston, West Virginia 25301

### Dear Licensee:

This letter is a Notice of Apparent Liability (NAL) for a monetary forfeiture under Section 503(b) of the Communications Act of 1934, as amended, 47 U.S.C. § 503(b). Capitol Radiotelephone Inc. d.b.a. Capitol Paging (Capitol) appears to have incurred liability of \$20,000 for its apparently willful and repeated violation of Section 333 of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 333, and Sections 90.403(e), 90.405(a)(3) and 90.425(b)(2) of the Commission's Rules, 47 C.F.R. §§ 90.403(e), 90.405(a)(3) and 90.425(b)(2). Section 333 of the Act states: "No person shall willfully or maliciously interfere with or cause interference to any radio communications of any station licensed or authorized by or under this Act or operated by the United States Government." Section 90.403(e) of the Rules states: "Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference." Section 90.405(a)(3) of the Rules states: "(a) Stations licensed under this part may transmit only the following types of communication: .... (3) Communications for testing purposes required for proper station and system maintenance. However, each licensee shall keep such tests to a minimum and shall employ every measure to avoid harmful interference. \* Section 90.425(b)(2) of the Rules states: "(b) Use of automatic Morse code identification equipment. Automatically activated equipment may be used to transmit station identification in International Morse Code pursuant to the following conditions: .... (2) The Morse code transmission rate shall be maintained between 20 and 25 words per minute."

These determinations are based on your apparent operation of private carrier paging (PCP) station WNSX-646 on August 12, 13, 14 and 15, 1991. On those dates, Capitol appears to have willfully caused station WNSX-646 to repeatedly transmit on the frequency 152.48 MHz in the Charleston, West Virginia and Huntington, West Virginia areas in a manner that caused harmful interference to the transmissions of PCP station WNJN-621. These transmissions may also have caused harmful interference to the transmissions of PCP station WNLM-930.

1	Laporter (	Disposition		Presented by	Docker No 13	Pederal C
7EB 0 2 991	( Rejected	Received	Identified FEB 0 2 400	(up tal	Docker No. 13-23 Exhibit No. Con 14	Federal Communications Commission

\* NOT OFFERED

•

-

It appears that all or almost all of the transmissions that caused harmful interference on August 12, 13, 14 and 15, 1991 were not for the purpose of conveying actual pages for subscribers. Capitol characterizes all or most of the transmissions that caused harmful interference on August 12, 13, 14 and 15, 1991 as test transmissions. It appears, however, that even if these transmissions were putatively test transmissions, they were primarily intended to cause harmful interference. It further appears that Capitol did not take steps to monitor the frequency 152.480 MHz for communications in progress before transmitting to assure that it did not interfere with those communications. Nor does it appear that Capitol took any other measures necessary to minimize the potential for causing interference.

Additionally, it appears that these "test" transmissions were not kept to a minimum and did not employ sufficient measures to avoid harmful interference. It further appears that an element of failure to keep "test" transmissions to a minimum included transmission of Morse code identification of station WNSX-646 at a rate of approximately seven (7) words per minute (wpm), instead of the required twenty (20) to twenty-five (25) wpm.

It further appears that each of the violations of the Rules and the Act specified above involved egregious misconduct because: (1) the transmissions of station WNSX-646 on these dates were not apparently for the purpose of conveying actual pages for subscribers; (2) the "test" transmissions of station WNSX-646 on these dates had no apparent legitimate "testing" purpose; and (3) a co-channel PCP licensee suffered the harmful interference caused by Capitol, and Capitol, as the primary paging competitor (both as a common carrier and private carrier paging licensee) to this entity in these markets, stood to gain the most from such harmful interference. It also appears that these violations were repeated, occurring on August 12, 13, 14 and 15, 1991.

This NAL is based upon evidence adduced from the following sources:

(1) monitoring of the transmissions of station WNSX-646 by Commission personnel from the Baltimore Field Office using a Commission mobile unit and hand-held equipment and employing sophisticated direction-finding techniques;

(2) inspection of station WNSX-646 by Commission personnel; (3) complaints of interference received from station WNJN-621; and (4) Capitol's June 17, 1992 response to our letter of May 19, 1992.

Your total apparent liability to monetary forfeiture was arrived at based upon the Commission's Policy Statement, In re Standards for Assessing Forfeitures, 6 FCC Rcd 4695 (1991), (Policy Statement) which prescribes base forfeiture amounts and upward and downward adjustment criteria that may be applied to base forfeiture amounts, and by applying the provisions of Section 0.331(a) (9) of the Rules, 47 C.F.R. § 0.331(a) (9), concerning authority delegated to the Chief, Private Radio Bureau, regarding forfeiture amounts.

The <u>Policy Statement</u> prescribes a base forfeiture amount of \$7,000 for each single day of a continuing violation of "malicious interference" by a Private Radio Bureau licensee. This violation category includes your apparent violation of Section 333 of the Act. This results in a total base forfeiture amount of \$28,000 for all four days (August 12, 13, 14 and 15, 1991). Your apparent egregious misconduct results in application of an upward adjustment of 50% for an adjusted total forfeiture of \$42,000 for apparent violation of Section 333 of the Act.

The <u>Policy Statement</u> prescribes a base forfeiture amount of \$1,000 for each single day of a continuing violation of "failure to make required measurements or conduct required monitoring." This violation category includes your apparent violation of Section 90.403(e) of the Rules. This results in a total base forfeiture amount of \$4,000 for all four days. Your apparent egregious misconduct results in application of an upward adjustment of 50% for an adjusted total forfeiture of \$6,000 for apparent violation of Section 90.403(e) of the Rules.

The <u>Policy Statement</u> prescribes a base forfeiture amount of \$500 for each single day of a continuing violation in the case of "miscellaneous violations." This violation category includes your apparent violations of Sections 90.405(a) (3) and 90.425(b) (2) of the Rules. This results in a total base forfeiture amount of \$2,000 for all four days for each apparent rule violation, respectively. Your apparent egregious misconduct results in application of an upward adjustment of 50% for an adjusted total forfeiture of \$3,000 for each rule section, or a total of \$6,000 for apparent violation of Sections 90.405(a) (3) and 90.425(b) (2) of the Rules.

The total forfeiture amount for your apparent violations of the Act and the Rules would therefore be \$54,000 before application of the provisions of Section 0.331(a)(9) of the Rules. This Section of the Rules provides the Chief, Private Radio Bureau, delegated authority to issue NALs only for amounts that do not exceed \$20,000. Because this NAL is being issued by delegated authority, your total apparent liability for forfeiture must be adjusted downward to \$20,000.

Thus, your total apparent liability for monetary forfeiture is \$20,000. Although this NAL is not a final determination of liability, failure to respond on your part coupled with no additional information before us would result in issuance of a \$20,000 Notice of Forfeiture, which would be a final

On each single day of each of these apparent repeated violations, the violations that occurred were the result of individual, separate and discrete acts, albeit repeated acts of a similar nature. This is why, for each violation of the Act or Rules, we have applied a separate base amount for each day. Because we have chosen this course, we are not applying the upward adjustment criterion for repeated or continuous violations.

4.

determination. You may respond affirmatively in either of two ways. You may send payment of \$20,000 to the Chicago, Illinois, address specified below, or you may send a detailed rebuttal statement of facts and reasons to the Washington, D.C. address specified below.

You should respond to this NAL within thirty days of your receipt of this letter. Failure to respond within thirty days of receipt of this letter will result in issuance of a \$20,000 Notice of Forfeiture, unless additional information warranting a different result is independently brought to the attention of the Commission.

Sincerely

Richard J. Shiben
Chief, Land Mobile and
Microwave Division
Private Radio Bureau

### Send payment to:

Federal Communications Commission Post Office Box 73482 Chicago, IL 60673-7482

(place the number 217XX0007 on your remittance)

### Send any rebuttal statement to:

Federal Communications Commission
Private Radio Bureau
Land Mobile and Microwave Division
Compliance Branch, Attention: Case No. 91186
Washington, D.C. 20554

Copy to: Kenneth E. Hardman, P.C. 1255 23rd Street, N.W., Suite 800

Washington, D.C. 20037

Capitol Paging Corporate Office 1430 Kanawha Boulevard, East Charleston, WV 25301 (204) 345-3792





# PAGER PICKUP AGREEMENT

30RIGINAL

Property of the Control of the Contr	NAME:	1748 Kes	A 1: 1"	Rluc	And the Page	SEC Uplace	Vs	MIOOU	
Marie State Committee	ADDRESS:	A. 0	Tripago	4. 9	THE EXCELLIPTA A THE	STATE YEST IN		to de ZIP	<u> </u>
20	AUTHORIZED	BY: Chris	NAME PODI ICC	ord	्रा कर क् <b>य</b> क्र	PHONE		OCCUP	ATION
CUSTON	ER INFORM	ATION:	. •	ميها فيوادا دواوف	ं स्थानपुरस्य <b>भा</b> स्थानपुरस्य भा	Remarkation of the same of the		SKAP ( SP)	,
1	., .	Adia	d	ma <sub>kati</sub> k	( L	ne 386 an ioa. ∕S	. :		id e. 🕠
	NAME:	LAST	nE	131	FIR	<u> </u>		MIDDLE	
eri. Kristo	ADDRESS:	3//	YTE		<del></del>	STATE	<del></del>	- 219	
igi Sangaran	PHONE:	S	33 654	3			<u>73</u>	60661	
	DRIVERS LICE	ENDE No.: E5	20799		11.6	W.Va	•	u-25-	71
nar : lar :	BOCIAL SECU	- 333·	-15-30	43	,5	STATE		TYPE	
	INFORMATIO	N LISTED ABOVE OU	DENT INPUO	NE DIRECTO	avi des	r d NO			
and the	COMPANY:	100	ix In	Game	Rich	Mainte,	<u>.</u>		BS
	MEARRET DEL	Luil	JO	Peddan		(359		736	MATONED
			* ***	jast 1	MELAT	ONNE		1 PH	ONE No.
CHEDIT I	Name of Gred		mber: Onio	ginel Belance	Present Balance	4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4. 4	Carried in 8	inene ed	
					A-4	21		<del></del>	
	12, Han	1 Nauff			gyE.	Chris	Pad	decord	* · · · ·
L. N. Kill	J.:		1	Table Par		6.4	-	•	
	: :	i	E 28	Parker Spring			AT CALLERY	E- De-	
45.	• •				THE REPORT OF				
	·		الإنجاز فتا والمجارة	OF AGR	ERMENT		. A annu at m	1	
The term	is of this agreement our offices during if the paging units	If are completely described regular office hours.	TERM	EL COL	EEMENT	an of Mark Visites		net document is	. 4.
o coloreda de la coloreda del coloreda del coloreda de la coloreda del coloreda de la coloreda de la coloreda del coloreda de la coloreda del la colo	as of this agreemen aur offices during if the paging units sement value shou to a \$40.00 deduct	It are completely described regular office hours. It is not automatically proving to lot on the court.	TERM	OF AGR	ERMENT	an of Mark Visites			e, or pay th
i Billiothen fo	if the paging units i sement value shou a to a \$40.00 deduc i protestion inten of paging eq	is not automatically provided to the court of the court o	TERMS In our will on the last is you and/o pengarius ping / wast proppiles	OF AGR		Ign of Wate Virgini	ment against is menth. This	:. loss and damag	e, or pay th gay it lest o
i Billiothen fo	ir the paging units in committee about a to a \$40.00 deduct in presention taken of paging eq in initiate fines up the sent out on the registion fee may be	ie not automatically provide id loss or demage occur-/ stable.)  In No I do not pulpment that is not being to \$10,000 and/or inamed i first of each month. Pays applied. If I am in default	TERMA I in our taint on the heat, it is you and/o perspection ating it point for on a cop region for up to be more in the by the more in the by the your case demand	OF AGR	ERMENT	Ign of Wate Virgini	ment against or menth. This service from a on due date s	ices and demeg covers your pi public utility	e, or pay the gar if lead of which, upo
	ir the paging units is sement value should be a \$40.00 deduct presention units of paging equit in initiate fines up to be sent out on the nection fee may be by for this seulement.	is not automatically provided to see or damage occur- tables.)  If No I do not pulpment that is not being to \$10,000 and/or invarious it first of each month. Pays a applied. If I can in default as any action parentled by the to the notation parentle of the time of the seed wave forms.	TERMA I in our taint on the heat, it is you and/o perspection ating it point for on a cop region for up to be more in the by the more in the by the your case demand	OF AGR	EE AGENT TO BE AND THE ADDRESS OF TH	ign of Weis Virgini r insure this equip per unit pe entitles that of this not received between plus toy	ment against in ments. This is nervice from a conductor in merces that is covered. Your a	ces and damag covers your pi a public utility ervice will be a due willhout g	e, or pay th ger if lest o which, upo erminated wing anyon werifies the
	ir the paging units is sement water should be a \$40.00 deduct protestion union of paging eq in initiate fines up the sent out on the specien fee may be b. You they also tall by for this equipme	is not automatically provided to see or damage occur- tables.)  If No I do not pulpment that is not being to \$10,000 and/or invarious it first of each month. Pays a applied. If I can in default as any action parentled by the to the notation parentle of the time of the seed wave forms.	TERMA I in our tents on the lest it is you enoted 'pengular ping in your pengular, I paid for on a rea want for up to be more in due by the your case discussed your case decision.	OF AGR	EE AGENT TO BE AND THE ADDRESS OF TH	ton of West Virginia y injure this equip- per will per entitle the property of int is not recieved between plus may	ment against in ments. This is nervice from a conductor in merces that is covered. Your a	loss and damag l covers your pi s public utility ervice will be a l due willhout g	e, or pay th ger if lest o which, upo erminated wing anyon werifies the
	ir the paging units is sement value should be a \$40.00 deduct presention units of paging equit in initiate fines up to be sent out on the nection fee may be by for this seulement.	is not automatically provided ione or demons occur- tables.)  If No I do not suipment that is not being to \$10,000 and/or incared is local model, Pays applied. If I am in default to any action parentted by mt is your and your firms is dition when rectyord, Falls firm.	TERMA  I in our teirlit on the  leaf, it is you anothe  personalism plots in  personalism plots in  personalism plots in  seal is on a cop  relien for up to tei  mont in due by the  your one demand i  your opposite open  mid such time that  me by generaly rain  in proper to midnight	OF AGR	ERRENT AND	ton of West Virginia y inques this equip- per will per per will per per will per per will per per will per per will per	ment against in ments. This is nervice from a conductor in merces that is covered. Your a	ces and damag covers your pi a public utility ervice will be a due willhout g	e, or pay the ger if leat de which, upo princed. I write the world anyon world a the world anyon the control of
	ir the paging units in commit value ghouse on the sent of paging og in initiate fines up in the sent of the sent o	is not automatically provide id lose or demage occur- rebite.)  2 No I do not  pulpment that is not being  to \$10,000 and/or insured  irrst of each excell. Pays  applied. If I am in default  the enry action parentled by  int is your and your firms a  dition when restored. Fall  firm.  his transaction at any time  to the transaction of any firm  and because or estained free  or horse or other or that  the province of the transaction of  the other or other  and the other  or other or that  the other or other  or	TERMS  I to currently on the best, it is you selden perspection, print properties, paid for on a cup more in day by the your one destroyed your one destroyed in the properties open most each time that we be groundly refe to getter to midnig it hereby author in me or any other in	OF AGRI units the Print your Britis or your Britis or your Britis or your Britis or your Britis your Britis your Britis or better he better he better he better he better he capital Paperson person person he better he capital Paperson person he better he capital Paperson person he capital Paperson he capital	ERRENT AND	ton of West Virginia y inques this equip- per will per per will per per will per per will per per will per per will per	ment against in menth. This is menth. This is not due date a mineral that is cleved. Your also that and a transablen. Satisfactive againstities and condition and condition.	one and dering covers your pi a public utility ervise will be a due without g consture below with result in first discovers and a sign of the sales of the address of the sales of the address of the sales of the address of the sales of the sales of	e, or pay the ger if lent of swhich, upon the swhich wing anyon working the nedlete legs and metics of swhich legs them, it is them, it
	ir the paging units in commit value ghouse on the sent of paging og in initiate fines up in the sent of the sent o	is not automatically provide id lose or demage occur- rebite.)  2 No I do not  pulpment that is not being  to \$10,000 and/or insured  irrst of each excell. Pays  applied. If I am in default  the enry action parentled by  int is your and your firms a  dition when restored. Fall  firm.  his transaction at any time  to the transaction of any firm  and because or estained free  or horse or other or that  the province of the transaction of  the other or other  and the other  or other or that  the other or other  or	TERMA  I in our teirlit on the  leaf, it is you anothe  personalism plots in  personalism plots in  personalism plots in  seal is on a cop  relien for up to tei  mont in due by the  your one demand i  your opposite open  mid such time that  me by generaly rain  in proper to midnight	OF AGRI units the Print your Britis or your Britis or your Britis or your Britis or your Britis your Britis your Britis or better he better he better he better he better he capital Paperson person person he better he capital Paperson person he better he capital Paperson person he capital Paperson he capital	ERRENT AND	ion of West Virginia r insure this equip- per will per entitude fluit of the insure received between plus toy relition as when re in request constitu- it the date of this urgau or other inv	ment against in menth. This is menth. This is not due date a mineral that is cleved. Your also that and a transablen. Satisfactive againstities and condition and condition.	one and dering covers your pi a public utility ovice will be a due without g ignature below the result in inv	e, or pay the ger if lent of swhich, upon the swhich wing anyon working the nedlete legs and metics of swhich legs them, it is them, it
	ir the paging units in comment value ghouse to a \$40.00 deduct on the predecition from up to a sent out on the next on the result of the way be a sent out on the next on the result of the way be a sent out on the next on the sent on the sent on the sent of t	is not automatically provide is not automatically provided in the country stable.)  2 No I do not pulpment that is not being to \$10,000 and/or inserted to 100,000 and/or inserted to 100,000 and/or inserted to 100,000 and or inserted to 100,000 and 100,	TERMS I to currently on the best, it is you and/or pertaining properties, paid for on a stay recent description, paid for on a stay recent description your con description into a properties open mild auch time that we be appropriy rain to geter to entining it hereby author in the or any other into the description was the contrast in mits filled in before	OF AGRIC  Letter Broke Print  From Broke Print  Broke Broke Print  Broke Capital Print  Broke Broke Broke  Broke Broke Broke  Broke Broke Broke  Broke  Broke  Broke Broke  Broke B	EE AGENT  a device County  possibility to differ  and desired 8  been desired 18  ch month. If payme  to the unity  out in the case on  of foregoing in the  per or any credit is  ind complete I und  per or any and or an  ind complete I und  remailer on the rem  d 9-9-9-1	ion of West Virginia r insure this equip- per will per entitude fluit of the insure received between plus toy relition as when re in request constitu- it the date of this urgau or other inv	ment against in menth. This is menth. This is not due date a mineral that is cleved. Your also that and a transablen. Satisfactive againstities and condition and condition.	one and dering covers your pi a public utility ervise will be a due without g consture below with result in first discovers and a sign of the sales of the address of the sales of the address of the sales of the address of the sales of the sales of	e, or pay the ger if lent of swhich, upon the swhich wing anyon working the nedlete legs and metics of swhich legs them, it is them, it
	ir the paging units in comment value ghouse to a \$40.00 deduct on the predecition from up to a sent out on the next on the result of the way be a sent out on the next on the result of the way be a sent out on the next on the sent on the sent on the sent of t	is not automatically provide is not automatically provided ince or demage occurrinable.)  27 No I do not pulpment that is not being to \$10,000 and/or inserved in the law of the control of the law of the control of the serve oction parentled by the control of the serve of of t	TERMS I to currently on the best, it is you and/or pertaining properties, paid for on a stay recent description, paid for on a stay recent description your con description into a properties open mild auch time that we be appropriy rain to geter to entining it hereby author in the or any other into the description was the contrast in mits filled in before	OF AGRI units the Print your Britis or your Britis or your Britis or your Britis or your Britis your Britis your Britis or better he better he better he better he better he capital Paperson person person he better he capital Paperson person he better he capital Paperson person he capital Paperson he capital	EE AGENT  a device County  possibility to differ  and desired 8  been desired 18  ch month. If payme  to the unity  out in the case on  of foregoing in the  per or any credit is  ind complete I und  per or any and or an  ind complete I und  remailer on the rem  d 9-9-9-1	ion of West Virginia r insure this equip- per will per entitude fluit of the insure received between plus toy relition as when re in request constitu- it the date of this urgau or other inv	ment against in menth. This is menth. This is not due date a mineral that is cleved. Your also that and a transablen. Satisfactive againstities and condition and condition.	one and dering covers your pi a public utility ervise will be a due without g consture below with result in first discovers and a sign of the sales of the address of the sales of the address of the sales of the address of the sales of the sales of	e, or pay the ger if lent of swhich, upon the swhich wing anyon working the nedlete legs and metics of swhich legs them, it is them, it
CUST	ir the paging units: comment value ghouse to a \$40.00 deduct to a \$40.00 deduct to a predestion union of paging oq in initiate fines up i be sent out on the mestion fee may be in. You may sibe in y fer this equipme it was in good can it yes and/or your year, may cansed the farm for an explain the fer an explain the fer an explain the fer an explain paging of me an a fuscion of the finest of the comment paging of the an a fuscion of the finest of	is not automatically provide in the automatically provided to the or demands occurring to the control of the co	TERMS I to currently on the best, it is you and/or pertaining properties, peaks from a stag maken for on a stag your one demontal your one demontal is great time that make to propertie open mild auch time that make the open to enthalig it hereby author in me or any other in the or any other interesting inform mat this contrast in make this contrast in make this open on the make this open of the make this open o	OF AGRIC  Letter Broke Print  From Broke Print  Broke Broke Print  Broke Capital Print  Broke Broke Broke  Broke Broke Broke  Broke Broke Broke  Broke  Broke  Broke Broke  Broke B	EE AGENT  a device County  possibility to differ  and desired 8  been desired 18  ch month. If payme  to the unity  out in the case on  of foregoing in the  per or any credit is  ind complete I und  per or any and or an  ind complete I und  remailer on the rem  d 9-9-9-1	ion of West Virginia r insure this equip- per will per entitude fluit of the insure received between plus toy relition as when re in request constitu- it the date of this urgau or other inv	ment against in mention. This mention from a morest linet in cleved. Your a mestion against transmission, settingstive against linet in and (2) the set of (3) the set of (4) the set of (5) the set of (5) the set of (5) the set of (6) the set of (	one and dering covers your pi a public utility ervise will be a due without g consture below with result in first discovers and a sign of the sales of the address of the sales of the address of the sales of the address of the sales of the sales of	e, or pay the pay if less to service the pay if less to service the pay if less the pay if les
CUST	ir the paging units in comment value ghouse to a \$40.00 deduct to the predection when of paging equinities fines up to account on the mention fee may be act out on the mention fee may be a year the equipment was in good can it you and/or your year, may cancel it form for an augicum the paging of the mention therein the paging in an a printermation test and as a control of the paging of the can it was a printermation test and as a control of the paging of the pagi	is not automatically provide in the automatically provide in delices or demage occurring to the control of the	TERMS I to currently on the best, it is you and/or pertaining properties, peaks from a stag maken for on a stag your one demontal your one demontal is great time that make to propertie open mild auch time that make the open to enthalig it hereby author in me or any other in the or any other interesting inform mat this contrast in make this contrast in make this open on the make this open of the make this open o	OF AGRI  Lotto Store Professor In Control of the Store In Control of In Control of In Control of In	EXAMENT  a Service Common  base desired legs  of service It service  out in the same of  a service It service  to service It service  out in the same of  a service It service  to service It service  out in the same of  the same of  the same of  the same of  a service It service  desired on the same  desired on the	on of West Virginia of Inguisia of Inguisi	ment against in mention. This mention from a morest linet in cleved. Your a mestion against transmission, settingstive against linet in and (2) the set of (3) the set of (4) the set of (5) the set of (5) the set of (5) the set of (6) the set of (	one and dering covers your pi a public utility ervice will be a due without g ignature below the result in inv dee the attack incy employed intending that a lone of the age at I read and the	e, or pay the pay if less to service the pay if less to service the pay if less the pay if les
COST	ir the paging units: comment value ghouse to a \$40.00 deduct to a \$40.00 deduct to a predestion union of paging oq in initiate fines up i be sent out on the mestion fee may be in. You may sibe in y fer this equipme it was in good can it yes and/or your year, may cansed the farm for an explain the fer an explain the fer an explain the fer an explain paging of me an a fuscion of the finest of the comment paging of the an a fuscion of the finest of	is not automatically provide in the automatically provided to the or demonate occurring to the light of the l	TERMAN  I in our trivill on the led, it is you and/or pertorition protection paid for on a etg retion for up to too your one demand in other to midnig in griper to midnig in the ground youthor in the or any other in the or any other in this only inform mids filled in better	OF AGRI OUTS the Post Outs the	ERAGENT  a Service Country  a Service Country  a Service Country  a Service Country  been desired to be  ch ment of the united  ingred or by Service  out in the same or  or currently it uses  because day offer  are country for it uses  because on the re-  country of the same or  or country for it uses  because day offer  are or or any and/or an  or or or any and/o	ton of West Virginia of State	ment against in menth. This is menth, This is menth, This is minerast that is minerast that is theft and transastion, settingsthe agreembility, as and compility as and compility as and (2) the PRIC	see and damage covers your parties will be a public salidity ervices will be a due without 9 signature below inference of the agreement that age at I read and in SHIP	e, or pay the ger if lent of services of services the services of
COST	ir the paging units is coment value ghou on a \$40.00 deduct is preleasion when of the present in	is not automatically provide in the automatically provided in the country stable.)  If No I do not pulpment that is not being to \$10,000 and/or inserted to \$10,000 and/or inserted to intend of the country action passessed by a popular. If I am in default to the country action passessed in the country action passessed in the country action passessed. Faith firm, while transaction of any time of the stable of the country to you that for my firm and horself or any firm and the horself or any firm and horself or any firm any firm and horself or any firm any firm and horself or an	TERMS I to currently on the best, it is you and/or pertaining properties, peaks from a stag maken for on a stag your one demontal your one demontal is great time that make to propertie open mild auch time that make the open to enthalig it hereby author in me or any other in the or any other interesting inform mat this contrast in make this contrast in make this open on the make this open of the make this open o	OF AGRI  OF	ERAGENT  In Revise Country  In Revise Country  In Revise Country  In additional A  In and desired Tele  In additional A  In and desired Tele  In additional A	ion of Weist Virginia y inpure this equip- y inpure this equip- pay will pe pay will pe int is not recieved between plus may i will be deste of this unass or other law y firms financial in regulate of this pa  SALESPERSO	ment against in mentin. This is mentin. This is mentined that is nitronaution. It is transpilled transpilled against the against transpilled against the against transpilled against trans	see and demag covers your pi a public salility ervice will be a due willhout go injunature selficut go injunature selficut go dee the attack the attack and result in inse- dee the attack and result in inse- dee the attack	e, or pay the pay if lent of surfice, upo principal diving anyon verifies the neglect legs by them, it as chall reference to Buyer first
Cust	ir the paging units is coment value ghou on a \$40.00 deduct is preleasion when of the present in	is not automatically provide in the automatically provided to the or demonate occurring to the light of the l	TERMA  I in our terial or file led, it is you another led, it is you led, it is y	OF AGRI  To your firms on  To	ERAGENT  In Revise Country  In Revise Country  In Revise Country  In additional A  In and desired Tele  In additional A  In and desired Tele  In additional A	ton of West Virginia of State	ment against in menth. This is menth, This is menth, This is minerast that is minerast that is theft and transastion, settingsthe agreembility, as and compility as and compility as and (2) the PRIC	see and damage covers your parties will be a public salidity ervices will be a due without 9 signature below inference of the agreement that age at I read and in SHIP	e, or pay the pay of loss of services and services the services the services of services and ser
Cust	ir the paging units is coment value ghou on a \$40.00 deduct is preleasion when of the present in	is not automatically provide in the automatically provide in the country stable.)  If No I do not pulpment that is not being to \$10,000 and/or inserted to \$10,000 and/or inserted to \$10,000 and/or inserted to irred of each month. Pays applied, If I am in delenate of the other and year firms a dition when restaured, Fall firm.  Into transaction of any firm and to transaction of the delenate of the firm of the other or detailed from only certify to you the delenate of the firm. Layron (I) and this contrast with all be delenated from the other or detailed fr	TERMAN  I to currently on the best, it is you and/or pertarting print if your and properties, paid for on a reg month in day to be your con desired your con desired in the or any other to green to entending it is not any other to desired in the or	OF AGRI  with the Pythel  years firms on  years for  to be control of  percent pertain  go Capitol Paper  percent pertain  percent pertain  to i signed it.  DATE  P.O.  DESC  O 9 9 8  To	ERAGENT  A floring Country  a floring Country  a floring Country  basen desired Tele  basen desired Tele  ch manuful II purpose  manuful of the uniquel  algued or by lay.  o us in the contro co  or currently if upon  bordness day often  per or any credit is  ining to my and/or an  of complete. I undel  a floring to my and/or an  of complete to my	ton of West Virginia y inquire this equipment of the continue paywell provided the continue paywell provided to the continue paywell provided the full territory side of this paywell paywe	nervice from a conductor of the conducto	see and demag covers your pi a public salility ervice will be a due willhout go injunature selficut go injunature selficut go dee the attack the attack and result in inse- dee the attack and result in inse- dee the attack	e, or pay the pay if lent of surfice, upo principal diving anyon verifies the neglect legs by them, it as chall reference to Buyer first
Cust	ir the paging units is coment value ghou on a \$40.00 deduct is preleasion when of the present in	is not automatically provide in the automatically provide in the country stable.)  If No I do not pulpment that is not being to \$10,000 and/or inserted to \$10,000 and/or inserted to \$10,000 and/or inserted to irred of each month. Pays applied, If I am in delenate of the other and year firms a dition when restaured, Fall firm.  Into transaction of any firm and to transaction of the delenate of the firm of the other or detailed from only certify to you the delenate of the firm. Layron (I) and this contrast with all be delenated from the other or detailed fr	I to cour territif on the best it is you and to be to cour territing the period of the court of	OF AGRI  with the Pythel  years firms on  years for the pythel  to capitol Paperson pertain  for the the thirty  person pertain  person pertain  to reper person  to to reper person  person person  to to reperson  to to reperson  to to reperson  to to reperson  DESC  OG 9 7 8	ERABENT  Bender Commission  Bend	ton of West Virginia of State	nervice from a conductor of the conducto	see and demag covers your pi a public salility ervice will be a due willhout go injunature selficut go injunature selficut go dee the attack the attack and result in inse- dee the attack and result in inse- dee the attack	e, or pay the pay of loss of services and services the services the services of services and ser
Cust	ir the paging units is coment value ghou on a \$40.00 deduct is preleasion when of the present in	is not automatically provide in the automatically provide in the country stable.)  If No I do not pulpment that is not being to \$10,000 and/or inserted to \$10,000 and/or inserted to \$10,000 and/or inserted to irred of each month. Pays applied, If I am in delenate of the other and year firms a dition when restaured, Fall firm.  Into transaction of any firm and to transaction of the delenate of the firm of the other or detailed from only certify to you the delenate of the firm. Layron (I) and this contrast with all be delenated from the other or detailed fr	I to cour territif on the best it is you and to be to cour territing the period of the court of	OF AGRI  with the Public or  your firms or  your fi	ERAGENT  A floring Country  a floring Country  a floring Country  basen desired Tele  basen desired Tele  ch manuful II purpose  manuful of the uniquel  algued or by lay.  o us in the contro co  or currently if upon  bordness day often  per or any credit is  ining to my and/or an  of complete. I undel  a floring to my and/or an  of complete to my	ton of West Virginia y inquire this equipment of the continue paywell provided the continue paywell provided to the continue paywell provided the full territory side of this paywell paywe	nervice from a conductor of the conducto	public utility orvice will be a due without 9 countries will be a due without 9 countries of the attention o	e, or pay the pay of light of surface the
CLIST OL	ir the paging units coment value ghouse to a second value of the second	is not automatically provide in the automatically provide in the country stable.)  If No I do not pulpment that is not being to \$10,000 and/or inserted to \$10,000 and/or inserted to \$10,000 and/or inserted to irred of each month. Pays applied, If I am in delenate of the other and year firms a dition when restaured, Fall firm.  Into transaction of any firm and to transaction of the delenate of the firm of the other or detailed from only certify to you the delenate of the firm. Layron (I) and this contrast with all be delenated from the other or detailed fr	I to cour territif on the best it is you and to be to cour territing the period of the court of	OF AGRI  with the Pythel  years firms on  years for the pythel  to capitol Paperson pertain  for the the thirty  person pertain  person pertain  to reper person  to to reper person  person person  to to reperson  to to reperson  to to reperson  to to reperson  DESC  OG 9 7 8	ERABENT  Bender Commission  Bend	ton of West Virginia y inquire this equipment of the continue paywell provided the continue paywell provided to the continue paywell provided the full territory side of this paywell paywe	nervice from a conductor of the conducto	public utility evidence and demagn covers your particular public utility evidence will be a clear without and in read and in clear	o, or pay the pay of light of which, upo privilege the product of the pay of
CLIST OL	ir the paging units is coment value ghou on a \$40.00 deduct is preleasion when of the present in	is not automatically provide in the automatically provide in the country stable.)  If No I do not pulpment that is not being to \$10,000 and/or inserted to \$10,000 and/or inserted to \$10,000 and/or inserted to irred of each month. Pays applied, If I am in delenate of the other and year firms a dition when restaured, Fall firm.  Into transaction of any firm and to transaction of the delenate of the firm of the other or detailed from only certify to you the delenate of the firm. Layron (I) and this contrast with all be delenated from the other or detailed fr	TERMS  It is courtainly on the last, it is you another production plant of productions plant of productions of the production for up to paid for on a cop paid for on a paid  CCC-SC-SC-SC-SC-SC-SC-SC-SC-SC-SC-SC-SC-	OF AGRI  with the Pythel  years firms on  years for the pythel  to capitol Paperson pertain  for the the thirty  person pertain  person pertain  to reper person  to to reper person  person person  to to reperson  to to reperson  to to reperson  to to reperson  DESC  OG 9 7 8	ERABENT  Bender Commission  Bend	ton of West Virginia y inquire this equipment of the continue paywell provided the continue paywell provided to the continue paywell provided the full territory side of this paywell paywe	nervice from a conductor of the conducto	public utility evidence and demagn covers your particular public utility evidence will be a clear without and in read and in clear	e, or pay the pay of light of surface the

SEE OTHER SIDE FOR IMPORTANT

Federal C	ommunications Commission
Docket No. 13	Caretal
Disposition	Received Rejected
Reporter	12.

	Sales order	24128	ρ 1	WA BEE NOON TO	PPICE AMOUNT	3 LC-	2 C	co 1				 TOTAL ▶ -30 S	Thenky
The second of th	ACT. (0 2/CS)	CAPITOL RADIO TELEPHONE COMPANY, INC. 1420 KANAWHA BLVD., EAST CHARLESTON, WY 25301 (304) 346-3782	Par Redausank	U-29-91 (6-4-91)	П	-1 ( C) 3/2 ( C) 2898	· 1 47 protection	Jan 1-	he tried the RD then went durted	16 out 4/2 \$0.00 ballance	.) pood to do a returnal	 MORE NETE. PARD OUT CAME CO.D. NECESSARD BY	THIS BLIP MUST ACCOMPANY ALL CLAMMS AND RETURNED GOODS

# ORIGINAL

## DECLARATION OF DONALD J. VASEK

Donald J. Vasek hereby states under penalty of perjury as follows:

My name is Donald J. Vasek and I am Assistant Director, Operations, of the National Association of Business and Educational Radio, commonly referred to as "NABER". NABER is the FCC recognized frequency coordinator for private carrier paging systems, and I was responsible for supervising and managing NABER's frequency coordination function for the latter portion of 1989 and during 1990. NABER's records show that the initial private carrier paging system application by Capitol Radiotelephone Company Inc. d/b/a Capitol Paging ("Capitol") on 152.48 MHz for Charleston and Huntington, West Virginia, was coordinated on March 22, 1990 in File No. 893520214 and then forwarded to the FCC for processing and grant of a radio station license.

Attached to this declaration are true copies of written communications in NABER's files which were sent to or received by NABER in the ordinary course of business in connection with or related to the coordination of Capitol's application. Those written communications are identified below.

- Letter dated 1/30/90 to Sheldon Stept, NABER, from Frederick M. Joyce, Joyce & Jacobs
- 2. Letter dated 2/06/90 to Glorta Watson, NABER, from Calvin R. Basham, Communication Service, Inc.
- 3. Letter dated 2/13/90 from Gloria Watson, NABER, to 152.48 MHz licensees

Feder	al Communications Commission
Docket No.	9-3-231 Exhibit No. (4) 18
Presented by	
Di position	Received Rejected Rejected
Reporter	a. Waliva
DateFE	B02 80

- 4. Letter dated 2/20/90 to Gloria Watson, NABER, from Frederick M. Joyce, Joyce & Jacobs
- 5. Letter dated 2/21/90 to Gloria Watson, NABER, from D Tucker, T & T Communications
- 6. Letter dated 2/23/90 to Gloria Watson, NABER, from Frederick M. Joyce, Joyce & Jacobs, including four pages of attachments to the letter
- 7. Letter dated 4/03/90 to Gloria Watson, NABER, from Frederick M. Joyce, Joyce & Jacobs
- 8. Letter dated 8/28/90 from Frederick M. Joyce, Joyce & Jacobs, to David Whalin, Office of Congressman Perkins
- 9. Letter dated 9/19/90 from Gloria Perrin, NABER, to Robert Moyer, Jr., RAM Page
- Letter dated 10/02/90 to Gloria Perrin, NABER, from A. Dale Capehart, RAM Page

Executed this // day of January, 1994.

Donald J. Vasek

# JOYCE & JACOBS

FEB 02 1990

ATTORNEYS AT LAW
2300 M STREET, N.W.
EIGHTH FLOOR
WASHINGTON, D.C. 20037

FACSIMILE (202) 457-0186

(202) 457-0100

January 30, 1990

MARYLAND OFFICE CHEVY CHASE METRO BUILDING TWO WISCONSIN CIRCLE SEVENTH FLOOR CHEVY CHASE, MD 20813

### VIA FEDERAL EXPRESS

Mr. Sheldon Stept National Association of Business & Educational Radio 1501 Duke Street Alexandria, VA 22304

RE: PCP Frequency 152.48 MHz Ashland, KY, et al.

Dear Mr. Stept:

On behalf of RAM Technologies, Inc., a licensee of Private Carrier Paging facilities, Call Signs WNJN 621, et al., (FCC license authorizations are attached hereto for your convenience) on the 152.48 MHz frequency throughout various locations in Kentucky, Ohio, and West Virginia, enclosed for your consideration you will please find a traffic loading study conducted January 25, 1990 for RAM's licensed operations. This study reveals that the 152.48 MHz channel, at the busy hour of operation, is now loaded to 91% of its capacity.

In addition, attached hereto is a graph depicting RAM Technologies' monthly growth in terms of number of pagers activated on the 152.48 MHz frequency. RAM has placed over 4800 pagers in service, though it has been on the air only since May of 1989. Moreover, RAM has been activating new pagers at the rate of approximately 400 to 500 per month. Based on this recent activation history, RAM conservatively anticipates that it will continue to add new pagers at this rate per month through the end of 1990. Consequently, RAM estimates that by May or June of this year, even without accounting for co-channel licensee growth, the 152.48 MHz frequency will be occupied during the busy hour approximately 95% to 100% of the time. If growth trends continue at this pace, RAM will have to begin migrating its voice—only pagers to digital paging to accommodate this demand.

RAM's traffic data for its entire wide-area system, was measured from its Ashland, KY transmitter site, which is the hub of RAM's system. Because RAM handles paging traffic on the subject frequency throughout a three-state area, interference-free coordination of RAM's service with any new co-channel licensees would be extremely difficult, if not impossible, to achieve at these traffic levels. Moreover, any coordination decision concerning the 152.48 MHz frequency should account for the fact that RAM's wide-area system provides customers with better PCP service, while promoting spectral efficiency (Attached hereto is a coverage map, and a transmitter location map, depicting RAM's wide-area service. As indicated, RAM provides service throughout the Charleston and Huntington SMSAs, as well as several adjacent RSAs.).

Mr. Sheldon Stept January 30, 1990 Page 2 of 2

In light of the exceptional rate at which new subscribers have been signing on to RAM's system in only its first nine months of operation, RAM is also concerned that there be sufficient airtime available to meet projected short and long term expansion of its subscriber base. RAM's ability to avoid blocked pages and interference between its own subscribers would be jeopardized by the addition of another carrier on the 152.48 MHz frequency.

RAM has surveyed the FCC's frequency databases and has determined that, outside of the 152.48 MHz frequency, there are numerous frequencies available for paging services throughout RAM's services areas. For instance, there are approximately 11 Private Radio frequencies, and over 25 Radio Common Carrier frequencies available that could be used for paging service throughout RAM's Tri-State service areas.

In short, due to current and projected traffic levels on the 152.48 MHz frequency, the difficulty of coordinating RAM's wide—area system with another co-channel licensee, and the ready availability of many other frequencies for paging service, applications for new PCP facilities in RAM's service areas should be coordinated on a frequency other than 152.48 MHz.

It is sincerely hoped that NABER will give these facts close consideration before making any decision concerning the coordination of new carriers on the 152.48 MHz frequency. The facts indicate that another carrier could not be authorized on this frequency without causing harmful co-channel interference to incumbent licensees, and thereby degrading the high quality service now provided to over four thousand paging units.

Thank you very much for your attention to this matter. Should you have any questions in this regard, please do not hesitate to contact me.

Sincerely

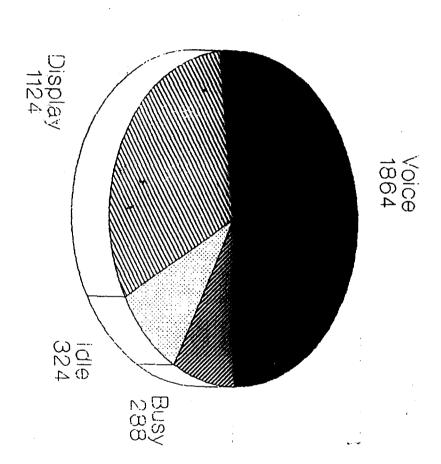
Frederick M. Joyce

Counsel for RAM TECHNOLOGIES, Inc.

FMJ:est enclosure

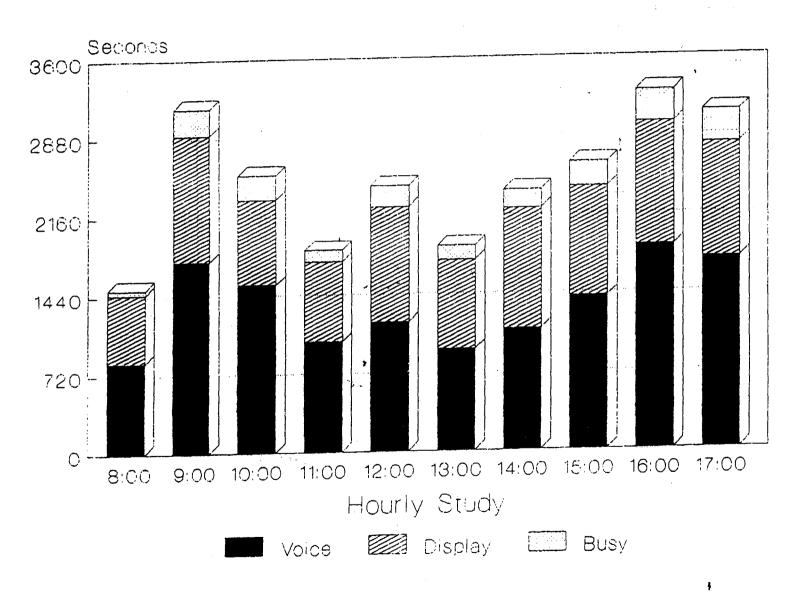
cc: Robert A. Moyer, Jr., Pres.

# Channel Usage by Pager Type



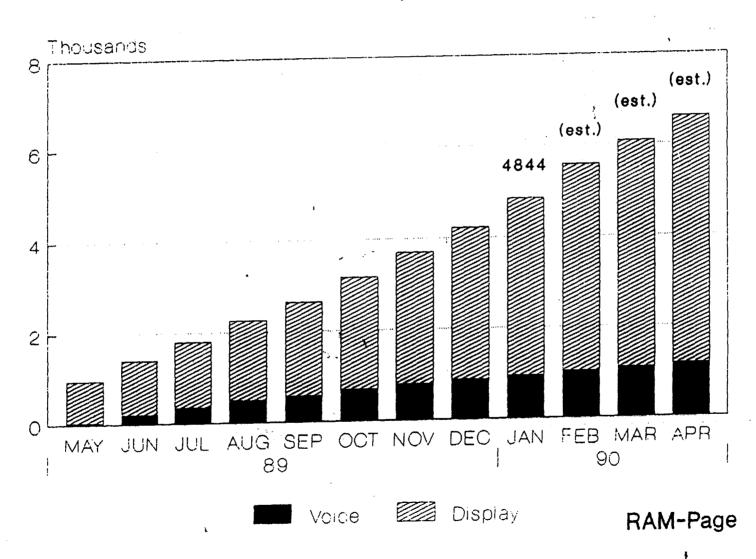
RAM-Page

# Traffic Study



			Usage		Total		Utilizatio	าก	Total Channel	
	Hour	Voice	Display	Busy	Usage	Voice	Display	Busy	Utilization	
	8:00	840	670	45	885	0.233	0:172	0.013	41.811	
	9:00	1755	1154	248	2003	0.488	0.321	0.069	87.69%	
	10:00	1540	779	227	1767	0.428	0.216	0.063	70.72%	
	11:00	1016	730	104	1120	0.282	0.203	0.029	51.392	
	12:00	1184	1055	195	1379	0.329	0.223	0.054	57.612	
	13:00	335	811	131	1056	0.260	0.225	9.036	52.14%	
	14:00	1110	1106	164	1274	0.308	0.707	0.046	66.111	
	15:00	1401	1064	229	1630	0.389	0.279	0.064	73.172	
111	16:00	1864	1124	288	2152	0.518	0.312	0.080	91,002	111
	17:00	1740	1054	291	2031	0.483	0.293	6.031	85.691	

# Pagers on System Shown By Type



# COMMUNICATION SERVICE, INC.



4009 West Washington Street Charleston, West Virginia 25313 (304) 744-8613 In WV 1-800-622-2187

February 6, 1990

MOBILE COMMUNICATIONS
AUTHORIZED DEALER

National Association of Business and Educational Radio 1501 Duke Street Alexandria, VA 22314

Attention: Ms Gloria Watson:

This letter is a follow up of our telephone conversation of this date concerning users of the Business Radio Frequency of 152.480 MHz.

We would appreciate your forwarding a listing of all licensed users within a 100 mile radius of 81-39-36 W and 38-19-47 North.

We are experiencing considerable interference to our system with the call sign of WNLM930. The main offending station operates with the call sign of WNJN621 which is transmitted by International Morse code at a speed in excess of 30 words per minute.

This transmitter is located in Charleston, WV and licensed in the name of Ram-Page, Ram Communications, Inc. (RAM for Robert A. Mowyer). I do not know the exact name on the license.

This station is linked with a paging terminal in Huntington, WV with is approximately 50 miles to the west. All pages are transmitted twice and continues to transmit pages regardless of co-channel operation by others.

Most of the pages transmitted by this station are for users in the vicinity of Huntington, WV.

Also a number of individuals having pagers called by this system are not eligible for licenses in the Business Radio Service.

We would appreciate the frequency list to enable us to take the necessary corrective action with the Federal Communications Commission.

Thanking you in advance, we are,

Very truly yours,

COMMUNICATION SERVICE, INC.

Calvin R. Basham



1501 Duke Street Alexandria, VA 22314 703-739-0300 1-800-759-0300

National Association of Business and Educational Radio

Date: February 13, 1990

Re: Notice to paging co-channel licensees

Frequency: 152.480 MHz

NABER Control Number: 893520214

Dear Paging Licensee:

We have recently received a coordination request from Capital Paging proposing a new station in Charleston, HuntingtonWV too keep licensees in the paging industry better informed, NABER is notifying co-channel licensees in close proximity to the newly proposed station.

As you may know, all Business Radio frequencies are assigned on a shared basis, unless otherwise specified by FCC Rule Section 90.173 (a). In the case of paging frequencies, there are no exclusions to this sharing requirement.

In order to co-exist, FCC Rule Section 90.403 (e) states:

Licensees shall take reasonable precautions to avoid causing harmful interference. This includes monitoring the transmitting frequency for communications in progress and such other measures as may be necessary to minimize the potential for causing interference.

Monitoring can be either manual or automatic. The parameters of such systems are governed by FCC Section 90.473 and 90.475. NABER encourages licensees to link their systems together to minimize interference where appropriate. In addition to protecting the base stations, the receivers need to be protected from one another and can be accomplished by coordinating tone codes with other licensees in your area.

Mutual cooperation and respect among licensees will increase the effectiveness of all systems. If you have any substantive comments of technical information that would be helpful to us, please send it to me promptly.

Thank you for your understanding and cooperation.

Sincerely,

Gloria Watson

Coordination Services

JALLUUTS